

REMARKS

This is intended as a full and complete response to the Office Action dated January 24, 2008, having a shortened statutory period for response set to expire on April 24, 2008. Please reconsider the claims pending in the application for reasons discussed below.

Information Disclosure Statements

Applicants request acknowledgment and consideration of the information disclosure statements previously filed and entered, according to PAIR, on 3/25/04; 8/20/04; and 11/4/05.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 6-19, 22, 23, 25, 29-35, 42, 43, 49, 52, 53, 63-65, and 98-100 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Metcalfe et al.* (U.S. Patent 6,543,552 B1; "*Metcalfe*"). Applicants respectfully traverse the rejection.

The Examiner incorrectly identifies a portion of an expander disclosed in *Metcalfe* as a "hoop stress expansion member." In particular, tubing shown in the drawing that is reproduced in the Office Action has a constant diameter both directly before and after the portion purported by the Examiner to be the hoop stress expansion member, such that no expansion by this portion is illustrated. Moreover, the specification of *Metcalfe* states at column 5, line 65 through column 6, line 1, that "the first expander section rollers 38 move in rolling contact around the inner wall of the tubing 18, and expand the tubing to an intermediate diameter." Thus, the rollers produce the expansion and not the portion that trails the rollers. Column 3, lines 10-17, of *Metcalfe* states, in contrast to the expander shown, that "[o]ther (emphasis added) forms of expanders may be utilized, such as a fixed cone," which further evidences that the portion identified by the Examiner cannot be the hoop stress expansion member, as the Examiner alleges.

Therefore, *Metcalfe* fails to teach, show or suggest a device having "at least one expansion member adapted to expand a tubing by inducing a hoop stress in the tubing... and at least one further expansion member adapted to expand the tubing by

inducing a compressive yield of the tubing, wherein... the device is arranged such that expansion of the tubing to a desired final diameter is carried out using the hoop stress inducing expansion member," as recited in claims 1 and 100. *Metcalfe* cannot anticipate or render obvious claim 1 or 100 or any claim dependent thereon. Accordingly, Applicants request withdrawal of the rejection and allowance of claims 1-3, 6-19, 22, 23, 25, 29-35, 42, 43, 49, 52, 53, 63-65, and 98-100.

Claim Rejections - 35 U.S.C. § 103

Claim 44 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Metcalfe* in view of *Lauritzen et al.* (U.S. Patent 6,722,441 B2). *Lauritzen et al.* fails to overcome the deficiencies of *Metcalfe* described herein with respect to claim 1 from which claim 44 depends. Accordingly, Applicants request withdrawal of the rejection and allowance of claim 44.


Allowable Subject Matter

Claim 45 is allowed. Applicants acknowledge allowance of this claim.

Conclusion

Having addressed all issues set out in the Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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